(3)

C.f. 100

(1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. NO. 2587 /2004

PETITIONER : Mohammad Ishhak Ansari
S/o. Late Ahmed Miya
Aged about 50 years
R/o Village & Post Pandari, Tahsil
Wadrafnagar, Distt. Surguja (CG)

P. R. No. 3592/04
Presented by Shri M. V. Paranjape
dated 13-8-04

VERSUS

RESPONDENTS :

1] State of Chhattisgarh
Through: Secretary,
Tribal Welfare Department
D.K.S. Bhawan, Raipur (C.G.)

2] Collector (Tribal Welfare)
Ambikapur, Distt. Surguja (CG)

3] Assistant Commissioner,
Tribal Welfare Department,
Ambikapur Distt. Surguja (C.G.)

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13.8.04
Clerk to A. G. Bilaspur

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

PETITIONERS:

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P No. 2587/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

13-9-2004

Shri Manoj Paranjape, Adv. for the petitioner.

Shri U.N.S. Deo, Govt. Advocate for the State.

Heard on I.A. No. 5789/2004 for exemption from filing the typed copies of documents.

The application is allowed. The petitioner is exempted from filing typed copy of the document.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer. Counsel submits that the petitioner is an Upper Division Teacher. He further submits that he was promoted as per order dated 15-5-1992 Annexure P-1 and Annexure P-2 is the certificate to this effect. It is submitted that yet he has been transferred classifying him as Assistant Teacher.

State counsel is not in a position to dispute this fact. He submitted that on the document submitted, the petitioner is an Upper Division Teacher but he has been transferred as Assistant Teacher. State counsel submitted that the matter would be examined.

Having considered the rival submissions, it is directed that the petitioner may make a representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 10 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within six

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P.NO. 2587/2004

मामला क्रमांक ..... सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

weeks from the date of receipt of the representation. It is further directed that during this period, he shall be allowed to continue on the post as Upper Division Teacher. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law.

With the aforesaid observations, this petition stands disposed of at this stage.

M.W.P. No. 2296/2004 and I.A. NO. 5788/2004 also stand disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Pathak